

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

KENNETH MORGAN,

Plaintiff,

vs.

CIV 12-0583 WJ/LAM

KENNETH CARREJO, ET. AL.,

Defendants.

ORDER STAYING DISCOVERY

THIS MATTER is before the Court *sua sponte*. Having considered the record of the case and the parties' statements at the telephonic status conference held on April 5, 2013 (*see Doc. 48*), the Court **FINDS** that discovery in this case should be **STAYED** pending resolution of the motion to intervene filed by the State of New Mexico Risk Management Division (*Doc. 41*).

The Court has inherent authority to stay proceedings. *See Landis v. North American Co.*, 299 U.S. 248, 254-55 (1936).

[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants. How this can best be done calls for the exercise of judgment which must weigh competing interests and maintain an even balance.

Id. (citations omitted). The Court finds that a stay of discovery may avoid duplication of discovery efforts if the motion to intervene is granted and a new party is added to the litigation, and, therefore, would be in the best interests of the parties and judicial efficiency and economy.

IT IS THEREFORE ORDERED that discovery in this case is **stayed** pending a ruling on the motion to intervene (*Doc. 41*). The Court will set a hearing to set new discovery deadlines when

the motion to intervene is ruled on. If the motion has not been ruled on in **sixty (60) days**, the Court will set a status conference at that time to discuss whether the stay of discovery should continue or should be lifted.

IT IS SO ORDERED.



LOURDES A. MARTINEZ
UNITED STATES MAGISTRATE JUDGE